

FORM PTO-1390 (REV 5-93)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		3477/116 U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>09/029872</b>	
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED 1 September 1995, 21 December 1995	
PCT/CA96/00585	30 August 1996	TITLE OF INVENTION "A SYNTHETIC BIOMATERIAL COMPOUND OF CALCIUM PHOSPHATE PHASES PARTICULARLY ADAPTED FOR SUPPORTING BONE CELL ACTIVITY"	
APPLICANT(S) FOR DO/EO/US: Sydney M. Pugh; Timothy J. Smith; Michael Sayer; Sarah Dorthea Langstaff			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(l).</li> <li>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. <input type="checkbox"/> Amendments to the claims and specification of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith as a part of the examination report.</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A copy of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> <li>11. <input type="checkbox"/> A copy of the International Search Report.</li> </ol>			
Items 12. to 17. below concern other document(s) or information included:			
<ol style="list-style-type: none"> <li>12. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li>13. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>14. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> Other items or information:</li> </ol>			

## 18. [ X ] The following fees are submitted:

## Basic National Fee (37 CFR 1.492(a)(1)-(5)):

Search Report has been prepared by the EPO or JPO ..... \$930.00

International preliminary examination fee paid to USPTO  
(37 CFR 1.482) ..... \$720.00No international preliminary examination fee paid to USPTO  
(37 CFR 1.482) but international search fee paid to USPTO  
(37 CFR 1.445(a)(2)) ..... \$790.00Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to  
USPTO ..... \$1,070.00International preliminary examination fee paid to USPTO  
(37 CFR 1.482) and all claims satisfied provisions of PCT  
Article 33(1)-(4) ..... \$98.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than  
[ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

Claims Number Filed Number Extra Rate

Total Claims -20 = X \$22.00 \$

Independent Claims -3 = X \$82.00 \$

Multiple dependent claim(s) (if applicable) + \$270.00 \$

TOTAL OF ABOVE CALCULATIONS = \$

Reduction by 1/2 for filing by small entity, if applicable. Verified Small  
Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).

SUBTOTAL = \$

Processing fee of \$130.00 for furnishing the English translation later than [ ]  
20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE = \$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment  
must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31).

\$40.00 per property + \$

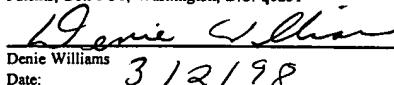
TOTAL FEES ENCLOSED = \$

Amount to be  
refunded \$  
charged \$

a. [ ] A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. [ X ] Please charge my Deposit Account No. 16-0605 in the amount necessary to cover the filing fees in this  
application.c. [ X ] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 16-0605.NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b))  
must be filed and granted to restore the application to pending status.

## SEND ALL CORRESPONDENCE TO:

"Express Mail" mailing label number EM034616865US  
Date of Deposit March 2, 1998Melissa B. Pendleton  
Bell Seltzer Intellectual Property Law Group  
ALSTON & BIRD LLP  
P.O. Drawer 34009  
Charlotte, North Carolina 28234  
3477/116I hereby certify that this paper or fee is being deposited with  
the United States Postal Service "Express Mail Post Office to  
Addressee" service under 37 CFR 1.10 on the date indicated  
above and is addressed to the Assistant Commissioner for  
Patents, Box PCT, Washington, D.C. 20231  
SIGNATUREMelissa B. Pendleton  
NAME  
Denie Williams  
Date: 3/12/9835,459  
REGISTRATION NUMBER

09/029872

In re: Pugh et al.  
International Appl. No. PCT/CA96/00585  
International Filing Date: August 30, 1996  
U.S. Appln. No. 09/029,872  
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Charge Deposit Account No. 16-0605 for any additional extension and/or fee required or credit for any excess fee paid.

Respectfully submitted,



Melissa B. Pendleton  
Registration No. 35,459

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326967

**CERTIFICATE OF EXPRESS MAILING**

"Express Mail" mailing label number EL110973437US  
Date of Deposit June 29, 1998

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box PCT, Attn: DO/US, Washington, D.C. 20231.

  
Grace R. Rippy